

## APPENDIX 3 – ISAF ANTI-DOPING CODE

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*See rule 5. This appendix shall not be changed by sailing instructions or prescriptions of national authorities.*

### REGULATION 21

#### 21. ANTI-DOPING CODE

The doping definition of the ISAF Medical Commission, like that of the International Olympic Committee (IOC), is based on the banning of pharmacological classes of agents.

The definition has the advantage that also new drugs, some of which may be especially designed for doping purposes, are prohibited.

*The list published in Appendix "A" of Olympic Movement Anti-Doping Code (OMADC) - and detailed at the end of Regulation 21 - represents examples of the different dope classes to illustrate the doping definition. Unless indicated, all substances belonging to the banned classes may not be used for medical treatment, even if they are not listed as examples. If substances of the banned classes are detected in the IOC accredited laboratory, the ISAF Medical Commission shall report to the ISAF Executive Committee who shall act upon the advice of the ISAF Anti-Doping Panel.*

*The presence of the drug in a sample of urine or blood constitutes an offence, irrespective of the route of administration.*

Doping Controls shall be undertaken in the sport of sailing.

When governmental requirements conflict with parts of this ISAF Anti-Doping Code those requirements apply.

*The following are basic ISAF Procedures:*

#### **Selection of Competitors**

- 21.1 A reasonable number of doping control tests, both in-competition (ICT) and out-of-competition (OOCT), shall be undertaken.
- 21.1.1 In-competition is defined as that period of time between the scheduled time of the

warning signal of the first race of the event, up to the closure of protest time following the final race of the event

- 21.1.2 Out-of-competition testing is defined as testing which takes place at other times outside the ICT period. When a doping control is conducted on the day of a competition in which the affected competitor has competed or is entered or expected to compete, the test shall be considered as in-competition. All other unannounced doping control shall be deemed to be OOCT. OOCT may be conducted by ISAF, by an ISAF authorized organization or on behalf and in collaboration with the World Anti-Doping Agency (WADA) or by a WADA authorized organization or authorized sports governing body at any time, including at the time or location of any competition in any Member National Authority country. Preferably it shall be carried out without any advance notice to the competitor or his/her Member National Authority (MNA).
- 21.1.3 ISAF and/or WADA may keep a register of competitors who are being subject to OOCT. Member National Authorities have the obligation to submit names, current places of living, addresses, telephone numbers, training times and training and competition locations for individuals and teams requested by ISAF and WADA, to enable the ISAF and WADA to conduct OOCT.
- 21.1.4 the ISAF and/or WADA can select competitors being subject to OOCT among all Member National Authority competitors. The selection can be done by ballot or any other principle that is decided by the ISAF and/or WADA.
- 21.1.5 A competitor selected for sample taking shall not refuse to have a sample taken either in or out-of-competition, when required to do so by an accredited sampling officer acting on behalf of a Member National Authority, the ISAF, WADA, IOC or a recognized governmental agency.
- 21.1.6 Doping Control is administered in order to uphold the requirements of RRS Fundamental Rule 5. The Control requires the collection of a sample of blood or of urine from the competitor in an environment dedicated to that purpose. For the purposes of this Regulation it is referred to as a Doping Control Station.
- 21.1.7 At an authorized event where doping control is undertaken, the protest committee chairman shall select competitors to be sampled on a specific day. Selection may be by means of a draw and specific competitors may be selected, as decided by the protest committee chairman. If on that day a race is postponed to a following day or abandoned, or if a competitor does not start in a race that is taking place, the protest committee chairman may still require the sampling of the specific competitor(s) already selected and may select any other competitors to be tested on that day. When there is more than one competitor in each boat, any or all of

them may be selected. The race committee shall give to the sampling officer the names of the competitors selected for sampling. A competitor may be sampled more than once during an event.

### **Sample Taking**

- 21.2 (a) The accredited sampling officer or his/her representative shall inform a competitor by written notice, which shall be given to the competitor, in confidence, that he or she has been selected for sample taking and is required to provide a urine or a blood sample at the time and place specified in the notice. The notice shall specify the name of the sampling officer appointed for the event (or OOCT) and of the designated laboratory (IOC accredited) to which the specimens shall be sent;
- (b) The competitor shall, during in-competition testing, sign an undertaking to be present at the Doping Control Station by a specific time, which shall usually be not later than one hour after the time of notification. In back to back racing a competitor shall be notified at the conclusion of the race from which he/she has been selected, and extra time shall be allowed for the competitor to take part in any subsequent races that day, before returning to shore for Doping Control.
- After notifying the competitor the organizing committee representative for doping control should remain with the competitor at all times (unless racing) until they together arrive at the Doping Control Station;
- (c) The competitor may be accompanied by one person of his or her choice.
- (d) A competitor who fails to appear at the appointed time and place, or who refuses to provide a sample shall be disqualified and sanctioned, together with the boat in which he or she was sailing, from the event and all the results to date shall be expunged. The protest committee shall call a hearing in accordance with RRS Part 5 Section B, to investigate the circumstances, to consider reasons offered to explain the failure to provide a sample in proper time, and report its findings to the initiating national authority, and to the national authority of the competitor.
- 21.2.1 The protocol for sample taking procedures at Doping Controls is detailed in Appendix "C" of the OMADC.
- 21.2.2 The competitor and the accompanying person shall be attended in the waiting room of the Doping Control Station by a member of the doping control team.
- 21.2.3 The member of the doping control team shall check the identity of the competitor and his/her sail number.

- 21.2.4 The time of arrival and personal data of the competitor shall be recorded.
- 21.2.5 Wherever possible only one competitor plus attendant/team official at a time should be called into the Doping Control Station. Where several tests are taking place this may not be possible.
- 21.2.6 In addition to the competitor and accompanying person only the following may be present in the Doping Control Station:
- A representative from the ISAF;
  - A member of the ISAF Medical Commission or their nominee;
  - The officials in charge of taking samples and keeping records;
  - An interpreter if required.

Photographs may not be taken in the Doping Control Station during the doping control procedure, unless required by the Doping Control Official in charge of the Doping Control Station. Representatives of the press are not allowed to be present during testing.

- 21.2.7 (a) When a competitor has been selected for OOCT the Sampling Officer (SO) appointed by ISAF or International Doping Control Officer (IDCO) appointed by WADA may either make an appointment to meet the competitor or, at preference, he/she may arrive unannounced to the competitor's training camp, accommodation or any other place where the competitor is likely to be found. In either case, the SO/IDCO shall provide proof of identity and provide a letter of appointment from the ISAF or WADA. The SO/IDCO shall also require proof of identity of the competitor. The actual collection of the sample shall be in as much accordance with OMADC and Regulation 21 as is reasonable;
- (b) Arrangements for collection of the sample shall be made as soon as possible after the appointment with the competitor has been made. It is the competitor's responsibility to check the arranged date, time and the precise location of the meeting;
- (c) Where the SO/IDCO arrives unannounced he/she must give the competitor reasonable time to complete activity in which he/she is engaged, but testing should commence as soon as possible;
- (d) In case a Team Doctor is not available or present at the OOCT, the competitor is responsible for declaring all medication taken by him/her in the 72 hours prior to the sample collection time. The Team Doctor does not need to be present to give written details or declare medication that the competitor is subject to. It is understood that the OOCT sample procedure is fully valid without the presence and without the declaration on the report form from the Team Doctor;

- (e) Each competitor selected for OOCCT shall, as part of the collection procedure, in conjunction with the SO/IDCO complete such laboratory forms as are required by the initiating authority or laboratory to whom the sample is to be dispatched;
- (f) If the competitor refuses to provide a urine sample, the SO/IDCO shall note this on the doping control form used, enter his name on the form and ask the competitor to sign the form. The SO/IDCO shall also note any other irregularities in the doping control process;
- (g) The nature of unannounced OOCCT makes it desirable that little or no prior warning is given to the competitor. Every effort shall be made by the SO/IDCO to collect the sample speedily and efficiently with the minimum of interruption to the competitor's training, social or work arrangements. If there is interruption, however, no competitor may take any action to gain compensation for any inconvenience incurred;
- (h) If OOCCT are conducted by WADA or by a WADA authorized organization, the original copy of the doping control form shall be sent to the ISAF and a copy shall be kept in the possession of WADA;
- (i) The ISAF shall nominate a contact person responsible for the OOCCT Testing liaison with WADA
- (j) There has been signed an agreement between WADA and the ISAF, the articles, terms and conditions of which are on record at the ISAF. Under this agreement WADA shall conduct OOCCT services on behalf of the ISAF in accordance with the OMADC and Regulation 21.

21.2.8 In ICT and OOCCT the sampling procedure shall be carefully explained to the competitor in his/her own language or with the aid of an interpreter. It shall be made clear to the competitor that the sampling officer who directly supervises the passing of the urine sample shall be of the same sex as the competitor.

21.2.9 If the competitor refuses to provide a sample the possible consequences shall be explained to the competitor. If the competitor still refuses, this fact shall be noted in the records. These shall be signed by the official in charge of the station, the technician, representatives of the national authority which organized the sampling, and of any representative of the ISAF who may be present and may be signed by the competitor and accompanying person. Following investigation the Member National Authority shall report findings and decisions relating to sanctions applied, to the ISAF.

21.2.10 (a) The appropriately provided urine sample shall be divided by the competitor into two samples "A" and "B" and placed in individual bottles which are sealed into individual containers. Codes shall identify the bottles and

containers such that the laboratory does not know the name of any competitor;

- (b) Samples collected during testing shall be forwarded in the appropriate sealed containers to the designated, IOC accredited, laboratory concerned. The sample taking, transportation and analysis shall be as detailed in Appendix "C" of the OMADC. During transportation to the laboratory a record of the chain of custody shall be made from the time of production of the sample by the competitor to the time of opening of a container in the laboratory. At all times following its collection the sample shall be stored in the conditions required by the laboratory.

21.2.11 The analysis of sample "A" shall be conducted by the accredited laboratory, and the result made available to the initiating authority, within thirty days of the taking of the sample at the Doping Control Station.

21.2.12 The competitor shall provide a postal, fax or e-mail address at which during the 60 days following the taking of the sample required, he or she may be informed of the laboratory analysis results of sample "A". Should sample "A" provide a positive result the address given shall be used to inform the competitor, and to invite the competitor to attend or to be represented at the laboratory during the subsequent analysis of the "B" sample. Sample "B" shall be analysed within ten days of the date of notification of the "A" sample result.

Failure by a competitor to acknowledge receipt of the notice requiring his/her presence for the provision of a sample, or to sign the doping control form, or to provide a contact address shall not be grounds for cancelling any penalty imposed for breaking RRS Fundamental Rule 5.

### ***Sample Analysis***

21.3 The Laboratory Analysis Procedures shall follow the protocol detailed in Appendix "D" of the OMADC.

21.3.1 Analysis shall only be carried out in laboratories accredited by the IOC. Such laboratories are listed as Appendix "C" to the OMADC and shall be regularly inspected to maintain accreditation standards.

21.3.2 Sample "A" is analysed first. If sample "A" is negative, i.e., no proscribed medication or its metabolites are present, or no abnormal ratios or quantities for the presence of certain substances by the OMADC are noted, no further action is taken.

- 21.3.3 When “A” sample is positive, i.e. proscribed medication, metabolites or abnormal substance levels are noted:
- (a) the initiating authority shall so inform the competitor and his/her national authority immediately. No race results shall be changed at this stage; and
  - (b) the laboratory shall proceed to test sample “B”, the competitor or his/her representative may be present at the testing, and shall be informed of its time and place;
  - (c) when sample “B” is negative, the initiating authority shall so inform the competitor and his/her national authority, no further action shall be taken;
  - (d) when no result has been obtained from sample “B” after 60 days from the date of the sample taking, the procedure shall be considered void and no further action shall be taken;
  - (e) when sample “B” is positive the initiating national authority, or the ISAF in testing initiated by the ISAF, shall inform the competitor in writing at the address provided (see Regulation 21.2.12) and his/her national authority.
  - (f) any penalties imposed by the national authority against a competitor/participant who is found in breach of RRS Fundamental Rule 5, or of Regulation 21 shall be reported promptly to the ISAF.
- 21.3.4 Sanctions shall be applied in the first instance by the Member National Authority, which shall inform the ISAF of its decisions. If the Member National Authority imposes no penalty, or an inadequate penalty, the possibility of imposing sanctions may be reviewed by the ISAF.

### ***Penalties***

- 21.4 The penalties for doping are stated in the OMADC.
- 21.4.1 In addition to any penalty imposed under Regulation 21.3 a competitor who has been found in breach of RRS Fundamental Rule 5 shall have his/her ISAF Eligibility suspended as provided in Regulation 19.
- 21.4.2 The competitor may appeal as provided in Regulation 19 and as Regulation 21.5.4 below.

### ***Hearings and Appeals Procedure***

- 21.5 The competitor has twenty days from the date of the communication required by Regulation 21.3.3(e) to request a hearing or appeal to his/her Member National Authority, or to the ISAF if the testing was initiated by the ISAF.
- 21.5.1 If no appeal has been lodged after the last day for any such appeal has passed,

one or more of the penalties provided for in Regulation 21.4 shall be applied with effect from the event during which the relevant testing took place and any subsequent event prior to the testing of the “B” sample and during twenty days thereafter.

- 21.5.2 The findings of positive results shall be reported to the ISAF, together with details of sanctions applied by the Member National Authority.
- 21.5.3 Competitors who have positive doping control results and who appeal against the finding of a breach of any of the anti-doping codes to which the competitor is subject or against the sanctions applied may be referred to the ISAF Anti-Doping Panel. The Anti-Doping Panel shall consider evidence and report to the ISAF Executive Committee. The participant appealing is entitled to a copy of such procedures at the time he/she is notified of a positive result pursuant to Regulation 20.3.3(e)
- 21.5.4 Since the ISAF recognizes the Court of Arbitration for Sport a participant may appeal the decision of the ISAF Executive Committee to the Court of Arbitration for Sport in accordance with the provisions for appeal of the Court. A copy of those provisions shall be provided to the participant at the time he/she is notified of the Panel’s decision.

### ***Exemptions***

- 21.6 A competitor may request, only in writing, prior approval from the ISAF Medical Commission for the use of a banned substance, or a banned method, for special medical reasons. The procedure for such application is detailed under 21.11 Dispensation for taking proscribed Medication.
- 21.6.1 In Offshore races of more than 50 nautical miles, the use during a race of any banned substance or banned procedure for emergency medical treatment shall be reported promptly to the protest committee, which shall inform the appropriate national authority and the ISAF. The ISAF Medical Commission may retroactively approve such use.

### ***Expenses***

- 21.7 Any expenses in travel to observe analysis of a “B” sample, or to give evidence on his/her own behalf, incurred in connection with this ISAF Anti-Doping Code by a competitor shall be his or her responsibility and neither the participant’s National Authority or the ISAF shall have any obligation for any such expenses.

### **Team Doctors**

- 21.8 With the approval of the ISAF or a Member National Authority or National Olympic Committee (NOC), a Team Doctor or a Doctor who is responsible for sailing competitors, officials and others in the care of that Doctor, may carry and employ such medications as the circumstances may require, and as might be expected to be properly used in the undertaking of the Hippocratic oath.

### **Team Disqualification**

- 21.9 In the event that a competitor who is a member of a team is found guilty of doping, the boat upon which the offending sailor was a crew member shall be disqualified from the event. In sailing events in which more than one boat represents an individual national or other team, the boat upon which the offending sailor was a crew member shall be disqualified, but not other boats within a group of boats sailing as a team in either one or a number of classes.

### **Declaration of Medications**

- 21.10 The use of the proscribed beta-2 agonists, which are classified as stimulants, is permitted, by inhalation only, in cases of proven asthma. They are permitted following written request, prior to an event, by the competitor to the relevant medical authority. The relevant doctor shall issue a certificate granting permission for the inhaler(s) to be used, and shall maintain a record of the issue of the certificate.

The relevant medical officer shall preferably be the Member National Authority doctor. In the event of the Member National Authority having no doctor appointed the request should be made to the ISAF Medical Commission.

Diabetics requiring insulin are also required to notify the relevant medical authority to obtain a certificate.

### **Notification Procedure**

1. *Competitors requiring treatment involving permitted beta-2 agonists by inhalation, or insulin, should note details of the treatment in writing, including diagnosis and the name and address of the prescribing physician.*
2. *A copy of this information is sent in confidence to the Member National Authority Medical Officer, or in his absence to the ISAF Medical Commission.*
3. *The Member National Authority Medical Officer may wish to seek further information from the competitor or physician.*
4. *If diagnosis and treatment are accepted, the Member National Authority*

*Medical Officer shall send a certificate agreeing to the medication to the competitor, and maintain a record at the Member National Authority.*

5. *Further notification may be required, at intervals, for long term treatment.*

### ***Dispensation for taking Proscribed Medication***

21.11 If dispensation is requested for medication other than that listed in Regulation 21.10 above the Member National Authority Medical Officer shall be required to request full medical details from the competitor, including diagnosis, names of specialists consulted, their address, hospital letters etc. These should be sent in confidence to the Chairman ISAF Medical Commission, with a request, backed by the Member National Authority, that dispensation for the taking of the listed medications be granted.

Following investigation such a dispensation may be granted by the ISAF Executive Committee for a fixed period subject to review. This will enable the sailor to compete in events held under the ISAF Racing Rules of Sailing.

21.11.1 For the Olympic Regatta dispensation can only be granted by the IOC, acting upon the advice of the IOC Medical Commission. To obtain this dispensation the Member National Authority should apply to the ISAF Medical Commission. The Member National Authority will be requested to provide full details as outlined above. The ISAF Medical Commission will then, if they agree to the request, submit a documented application to the IOC Medical Commission.

21.11.2 An ISAF Dispensation alone does not permit the sailor to compete in the Olympic Regatta.

### ***Classes of Prohibited Substances in Certain Circumstances***

21.12 Where in the OMADC in Appendix "A" under III provides an option in the adoption of any substance on the proscribed list of medication, this choice of adoption shall be made by the ISAF Executive Committee upon the advice of the Medical Commission.

21.12.1 Pursuant to Regulation 21.12:

- Beta Blockers are permitted in sailing except for Match Race Helms.

### ***ISAF Anti-Doping Panel***

21.13 The ISAF Anti-Doping Panel shall consist of:

- Executive Committee member - Chair
- Chairman, or alternative appointed by Chairman, of Medical Commission,

- Chairman, or alternative appointed by Chairman, of Racing Rules Committee,
  - Chairman, or alternative appointed by Chairman, of Constitution Committee.
- and may be called upon to consider breaches of the OMADC and Regulation 21 and then report to the ISAF Executive Committee.

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**NOTE:** Regulation 21 is subject to change by the ISAF Council. The current text of the regulation is available from the ISAF by mail, fax or e-mail (sail@isaf.co.uk).

The Olympic Movement Anti-Doping Code, Appendix A (IOC Prohibited Classes of Substances and Prohibited Methods), List of Examples of Prohibited Substances and Prohibited Methods, and other current information about the Code are also available on the ISAF website.